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7 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

8 RAJA VENUGOPAL and MADHULIKA
9 GADDE,

10 Plaintiffs,

11 vs.

12 GARY W. ALEXANDER, DIANE M.
13 ALEXANDER and ALL OTHER
OCCUPANTS,

14 Defendants.

Case No.: 2:19 cv-01028-RSM

ORDER REMANDING CASE

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16 THIS MATTER comes before the court on Plaintiffs' motion to remand.¹

17 This matter is a forcible detainer action brought by the plaintiffs to obtain possession of
18 real property purchased at a foreclosure sale. The plaintiffs purchased the property at issue
19 located at 3246 West Lake Sammamish Parkway Northeast, Redmond, Washington, 98052-5961
20 (the "Premises"), at a trustee's sale held under Washington law. The sale took place on May 31,
21 2019. Defendants Alexander are the former owners of the premises and refused to vacate after
22 the statutory twenty-day deadline expired.

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24 ¹ Defendants did not respond to Plaintiff's Motion. Pursuant to local rule, the Court considers Defendants' failure to respond to be an admission that the motion has merit. LCR 7(b)(2) ("Except for motions for summary judgment, if a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the motion has merit.").

1 The plaintiffs commenced this matter as forcible detainer action under Washington law
2 in King County Superior Court. King County Superior Court issued an order to show cause on
3 July 3, 2019. Defendants filed a notice of removal July 2, 2019, asserting federal question
4 jurisdiction.

5 The Court finds there is no federal question presented. One issue raised by the defendant
6 is whether the foreclosure was proper. Whether the trustee complied with state law governing
7 non-judicial foreclosure sales in Washington is not a question of federal law but a factual question
8 to be decided by state court. The other issue involved in the unlawful detainer action is which
9 party has the right of possession of the premises. Possession of real property is not a federal
10 question.

11 The Court finds further there is no diversity jurisdiction. The only relief sought by the
12 plaintiffs is possession of real property.

13 Therefore, it is hereby ordered that this case is REMANDED to King County Superior
14 Court.

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16 Dated this 31 day of July 2019.

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19 RICARDO S. MARTINEZ
20 CHIEF UNITED STATES DISTRICT JUDGE
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